

1 THE HONORABLE JOHN C. COUGHENOUR
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 MICROSOFT CORPORATION, in its capacity
11 as fiduciary of the Microsoft Corporation
12 Welfare Plan,

CASE NO. C20-1800-JCC

13 MINUTE ORDER

14 Plaintiff,

15 v.

16 MOHAR CHATTERJEE, individually, and
17 SEAN B. MALCOLM, PLLC,

18 Defendants.

19 The following Minute Order is made by direction of the Court, the Honorable John C.
20 Coughenour, United States District Judge:

21 This matter comes before the Court on Plaintiff Microsoft Corporation's motion for
22 clerk's entry of default as to Defendants Mohar Chatterjee and Sean B. Malcolm, PLLC (Dkt.
23 No. 9). Federal Rule of Civil Procedure 55(a) authorizes the Clerk to enter a party's default if the
24 party has "failed to plead or otherwise defend." Here, Defendants filed an answer to Plaintiff's
25 complaint prior to the Clerk entering Defendant's default. (See Dkt No. 10.) Accordingly, the
26 Court DENIES Plaintiff's motion.

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1 DATED this 3rd day of March 2021.

2 William M. McCool
3 Clerk of Court

4 s/Paula McNabb
5 Deputy Clerk